

REMARKS/ARGUMENTS:

Claims 1-40 are pending, of which claims 1, 13 and 25 are independent. The Office Action dated July 18, 2006 made the following rejections:

- claims 1-3, 6-7, 9-10, 12-16, 18-19, 21-22 and 25-31 as anticipated by Phillips (US Pat. 6,192,041);
- claims 4, 16 and 28 as obvious over Phillips;
- claims 5, 8, 17 and 20 as obvious over Phillips and Saha (US Patent Publication 2003/0212822);
- claims 11-12, and 23-24 as obvious over Phillips and Brandenberger (US Pat. 6,570,782);
- claims 32-40 as obvious over Phillips and Cui (US Pat. Publ. 2004/0204069).

Each of the independent claims are amended herein, support for which may be found at least at page 2 lines 20-22; page 4 lines 18-22; and page 5 lines 10-19. No new matter is added.

Embodiments of the claimed invention relate to an IP connection between a mobile station MS and a computing device CD. "Another aspect of this invention concerns terminating an IP connection on the MS, rather than using the MS simply as a connection medium, such as a wireless modem." (page 2 lines 20-21). In this respect, the MS serves as an end device of the IP connection. In one embodiment, a command from the CD places the MS into a "terminating dial-up mode" of operation in which the MS is configured for terminating connections. (page 5 lines 8-10). In another embodiment, the MS initiates the connection with the CD after being placed into an auto-answer mode and receipt of a trigger signal, such as from a peer application resident on the MS. (page 6 lines 14-20). In both instances, the MS is an end device for the IP connection, which in the amended claims is recited as the IP connection terminating at the MS.

Amended claim 1 recites in relevant part:

**initiating the set up of the IP connection that terminates at the MS with a command sent from the CD to the MS over a local interface;**

Each independent claim is rejected as anticipated by Phillips. In each embodiment of Phillips, the subscriber device/cell phone 30 acts as a relay node between a laptop computer 10 and a base station system 36. The teachings of Phillips are not seen as relevant to an IP connection that terminates at a mobile station; its entire purpose is to enable packet data transmission from the laptop 10 to the internet 22 via the cell phone 30 and base station system 36, without the user having to manually enter an AT=CRM command that would otherwise switch modes of the cell phone 30. (col. 1 lines 30-37; col. 2 line 61 to col. 3 line 2). As an example, a system configured according to Phillips (col. 2 lines 32-35) is seen at Figure 3, which Phillips describes at col. 3 lines 49-51:

FIG. 3 shows a communication system including **a computer connected to the internet via a cellular telephone** capable of CDMA packet data service. (emphasis added).

Therefore, Phillips is not seen to anticipate claim 1 as amended herein. Independent claims 13 and 25 are similarly amended, and consequently also not anticipated by Phillips.

Because the entire purpose of Phillips is to use the cellular phone 30 as an intermediary between the computer 10 and the internet 44 or base station system 36, modification of Phillips such that an IP connection terminates at a mobile station would appear to render the Phillips disclosure unsuitable for its intended purpose. See MPEP 2143.01, part V. Therefore, no reference in combination with Phillips is seen capable of teaching one of ordinary skill to modify Phillips such that an IP connection terminates at the Phillips cellular phone.

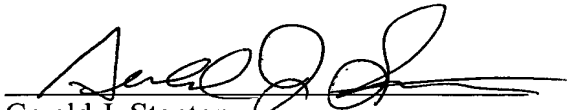
None of the other cited references, Saha, Brandenberger, or Cui, are seen to disclose, teach or suggest **initiating the set up of the IP connection that terminates at the MS with a command sent from the CD to the MS over a local interface** as recited in claim 1 and similarly in claims 13 and 25, and none are cited for such a teaching. Therefore, each of the independent claims are seen as non-obvious over any combination of cited art.

All other claims are seen to be allowable at least for their dependency from one of the above-argued independent claims.

Dependent claims 5, 8, 17 and 20 each recite, in slightly varying language, **performing peer to peer protocol negotiations over the local interface**. Saha para [0009] is particularly cited against this element of those claims. This is seen as clear error; protocol negotiations in Saha are routed through a Network Operations Control Center NOCC, and the various satellite terminals STs are connected only through a mesh network. See for example Figures 1, 9, 10 and 12, and para [0032] of Saha. This mesh network, which in Figure 1 includes a satellite relay, cannot reasonably be considered a local interface.

The Applicant thanks the Examiner for the search and the independent claims are amended to more clearly distinguish over the cited art. The Examiner is respectfully requested to review the claims in light of the above amendments and arguments, to withdraw the rejections and to pass claims 1-40 to issue. The undersigned representative welcomes the opportunity to resolve any matters that may remain, formal or otherwise, via teleconference at the Examiner's discretion.

Respectfully submitted:

  
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